IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

Writ Petition No. 3731 of 2006

M/s.Indian Oils & Agricultural
Products, through its Partner
Mr.A.K.Mishra Petitioner

Vs.

Abhyudaya Co-operative Bank Ltd. Respondents

Mr.A.S.Khandeparkar with Mr.Kedar Wagle for petitioner.

Mr.J.K.Hegde for respondents 1 and 3.

CORAM: B.H.MARLAPALLE,J.

June 05, 2006.

P.C.

. Heard Mr.Khandeparkar with Mr.Wagle, the learned counsel for the petitioner-firm. It is clear that the Recovery Officer has sought to proceed further only because the award passed has not yet been stayed and Mr.Khandeparkar states that a separate application has been filed before the 3rd Co-operative Court at Mumbai in Case No. CC/III/1035 of 1997 for stay to the award. If that be so, the Co-operative Court is hereby directed to hear and decide the said application on its own merits as expeditiously as possible. For any order of stay

against the recovery officer's actions, the petitioners will have to approach the Co-operative Court.

. Petition is disposed off accordingly.

(B.H.MARLAPALLE,J.)